## **Michigan Supreme Court**

State Court Administrative Office 309 N. Washington Square, P. O. Box 30048 Lansing, Michigan 48909 (517) 373-4835 John D. Ferry, Jr., State Court Administrator

DATE: July 9, 2001

TO: All Chief Circuit, District, and Municipal Judges

cc: Circuit Court Administrators
District Court Administrators
Municipal Court Administrator

Municipal Court Administrators

County Clerks

FROM: John D. Ferry, Jr., State Court Administrator

SUBJ: SCAO Administrative Memorandum 2001-06

**Abstract Timeliness** 

The Department of State (DOS) has conducted a year-long study on the internal processes by which abstracts of conviction are posted to the master driving records. During this study, DOS also reviewed the external (court/vendor) steps for submitting abstracts to DOS. As DOS analyzes how it can improve its internal procedures, the State Court Administrative Office (SCAO) is working with it to identify ways in which the trial courts can modify local procedures which also will improve abstract timeliness.

The study conducted by DOS involved abstracts received during the period August 9 through October 4, 2000 (nine weeks), representing a total of 265,923 abstracts and revealed that most abstracts are updated within 30 days after conviction. Timeliness of submission of abstracts by courts is governed by MCL 257.732, which states:

"...the municipal judge or clerk of the court of record shall prepare and forward to the secretary of state an abstract of the court record...within 14 days after a conviction, forfeiture of bail, or entry of a civil infraction determination or default judgment...."

By statute, DOS has 10 days to post abstracts to the master driving record. An additional 6 days are allowed for processing, including mailing time.

The study revealed the following averages for abstract timeliness by court type:

	% of Abstracts	% of Abstracts
Court Type	Posted Timely	Posted
	-	<u>Manually</u>
District Court	87%	6%
Circuit Court	66%	78%
Circuit Court Family Division	78%	96%
Municipal Court	94%	4%

The most common causes of untimely abstracts are summarized below. Each section includes one or more recommendations to courts to improve accuracy and timeliness, with the ultimate

goal of a complete, accurate master driving record for each Michigan driver. These recommendations were jointly developed by SCAO and SOS after review of the study results.

### **Exceptions Requiring Manual Handling**

Approximately 45,000 abstracts are received each year which do not contain a driver license number (DLN). A portion of the abstracts from the nine-week study which required manual handling did not contain a DLN. At our request, DOS surveyed an additional two weeks of abstracts to determine the number of DLN abstracts for which a valid driver license number could have been located before sending the abstract. The study determined that, of the 1,506 DLN abstracts surveyed, nearly 57% had sufficient accurate information (name and date of birth) on the abstract from which a valid DLN could have been obtained by either law enforcement or the court prior to submission of the abstract.

Accompanying charts reflect the number of DLN abstracts received, by court number, during this 9-week study.

**Recommendation:** Implement procedures to obtain accurate driver license number, name and date of birth information <u>as early as possible</u>. Immediately contact law enforcement or run a driving record to obtain the correct information if an internal edit alerts the data entry clerk of a mis-match between these three items at time of ticket/case entry. <u>Responding to error problems at case entry</u> provides sufficient time for correction before the case is adjudicated and eligible for abstracting.

#### **Rejected Abstracts Due to Error**

Abstracts which are rejected due to error are reported to the court for correction and resubmission. Many errors are due to improper punctuation, misspelling of the driver name, or excessive spaces in the name field between first, middle, last name, or name suffix. Most abstracts rejected due to error will not be corrected and returned to DOS in sufficient time to be posted timely.

**Recommendation:** Implement procedures to <u>review error reports</u> in order to identify and correct recurring errors. Correction and re-submission of abstracts should be completed within one week of receipt. Delay in correction and re-submission will also negatively impact the completeness of master driving records, upon which both law enforcement and the judiciary rely. See the 2000 Court Manual, Michigan Department of State, section V, for a complete review of all error messages.

Train data entry clerks regarding punctuation and spacing rules, referencing the 2000 Court Manual, Michigan Department of State, section II, pages 6-8.

Contact your case management software vendor regarding possible programming changes to identify these kinds of data entry errors.

### **Improper Use of Exception Indicators**

DOS estimates that 25-30% of the abstracts received containing "DLN" in the "SOS Use" field were actually out-of-state drivers and should have been flagged as "OSN". Another 1.6% of abstracts containing "DLN" in the special use field actually contained the correct driver license number in the proper field. In these instances the presence of the "DLN" indicator delayed processing.

**Recommendation:** Correctly code exception indicators to expedite processing at DOS. See 2000 Court Manual, Michigan Department of State, section II, pages 5-6 and Section V, pages 2-4.

### **Court Delay in Entry of Adjudication, Abstract Submission**

There can be two reasons for submission of abstracts by the court more than 14 days from adjudication. First, the staff responsible for entry of adjudication information may not be entering the data in a timely manner. Second, the court or vendor may not be creating and/or sending abstracts on a weekly basis.

**Recommendation:** Implement procedures that insure prompt updating of case adjudication. Conduct periodic reviews with the software provider to verify that abstracts are sent weekly. Follow the same procedure when mailing tapes directly from the court.

### **Tape Submission/Readability**

Tapes returned to the court or vendor because they cannot be read at DOS indicates either the tape was corrupt and must be regenerated or a need for local modification of the abstract software.

**Recommendation:** Conduct periodic reviews with the software provider to insure the highest priority for maintaining software integrity based upon DOS requirements.

#### **Delivery Delay**

DOS determined that of all the vendors or courts submitting abstracts on tape (or diskette), only one (Judicial Information Systems) sent the material guaranteed overnight delivery. Due to deadlines established by DOS for receipt of abstracts, a one-day delay in receipt can result in an 8-day delay in posting to the master driving records.

**Recommendation:** Conduct periodic reviews with the software provider and/or tape processing vendor to determine abstracts are sent guaranteed overnight delivery. Mail tapes to ensure delivery by the DOS deadline each week. Follow the same procedure when mailing tapes directly from the court.

Questions regarding the DOS study or abstracting in general should be directed to the Department of State: Peggy Leece, Court Liaison, (810) 760-2961, or Dawn Iverson (517) 241-4552. Abstract training at local courts and county clerk offices is available upon request.

## DISTRICT COURT ABSTRACTS RECEIVED WITHOUT DRIVER LICENSE NUMBERS DURING 9-WEEK PERIOD AUGUST 9 - OCTOBER 4, 2000

Court Number	SOS Court #	City	Total # Of DLN Abstracts	Average DLNs per Week
D1	421	Monroe	68	7.6
D1	149	Erie	10	1.1
D2B	260	Hillsdale	16	1.8
D3A	83	Coldwater	48	5.3
D3B	75	Centerville	35	3.9
D4	73	Cassopolis	61	6.8
D5	455	Niles .	73	8.1
D5	627	Three Oaks	15	1.7
D5	590	St Joseph	156	17.3
D8 (8)	350	Kalamazoo	68	7.6
D8 (9-1)	351	Kalamazoo	26	2.9
D8 (9-2)	517	Portage	52	5.8
D10	32	Battle Creek	141	15.7
D12	320	Jackson	468	52.0
D14A	79	Chelsea	12	1.3
D14A	9	Ann Arbor	31	3.4
D14A	722	Ypsilanti	10	1.1
D14B	721	Ypsilanti Twp	24	2.7
D15	8	Ann Arbor	187	20.8
D16	387	Livonia	46	5.1
D17	540	Redford	52	5.8
D18	689	Westland	34	3.8
D19	112	Dearborn	68	7.6
D20	113	Dearborn Heights	31	3.4
D21	210	Garden City	8	0.9
D22	292	Inkster	39	4.3
D23	621	Taylor	35	3.9
D24	4	Allen Park	102	11.3
D25	386	Lincoln Park	27	3.0
D26-1	542	River Rouge	16	1.8
D26-2	147	Ecorse	6	0.7
D27-1	692	Wyandotte	16	1.8
D27-2	543	Riverview	3	0.3
D28	585	Southgate	18	2.0
D29	687	Wayne	15	1.7
D30	259	Highland Park	79	8.8
D31	250	Hamtramck	22	2.4
D32A	252	Harper Woods	9	1.0
D33	691	Woodhaven	47	5.2
D34	548	Romulus	108	12.0
D35	514	Plymouth	60	6.7

Doc	444	Datasit	500	04.4
D36	114	Detroit	580	64.4
D37	74	Centerline	6	0.7
D37	683	Warren	100	11.1
Court Number	SOS Court #	City	Total # Of DLN	Average DLNs per
Doo	400	F	Abstracts	Week
D39	188	Fraser	17	1.9
D39	550	Roseville	39	4.3
D40	587	St Clair Shores	22	2.4
D41A	593	Sterling Heights	43	4.8
D41A	651	Utica/Shelby	50	5.6
D41B	423	Mt. Clemens	25	2.8
D41B	91	Clinton Twp	17	1.9
D42-1	547	Romeo	10	1.1
D42-2	451	New Baltimore	26	2.9
D43	184	Ferndale	30	3.3
D43	257	Hazel Park	27	3.0
D43	410	Madison Heights	28	3.1
D44	551	Royal Oak	33	3.7
D45A	37	Berkley	10	1.1
D45B	480	Oak Park	35	3.9
D46	584	Southfield	33	3.7
D47	180	Farmington	60	6.7
D48	42	Bloomfield Hills	54	6.0
D50	515	Pontiac	128	14.2
D51	684	Waterford	28	3.1
D52-1	461	Novi	106	11.8
D52-2	81	Clarkston	33	3.7
D52-3	544	Rochester Hills	152	16.9
D52-4	625	Troy	59	6.6
D53	263	Howell	30	3.3
D53	45	Brighton	12	1.3
D54A	382	Lansing	141	15.7
D54B	144	East Lansing	46	5.1
D55	415	Mason	50	5.6
D56A	77	Charlotte	116	12.9
D56B	256	Hastings	16	1.8
D57	3	Allegan	97	10.8
D58	261	Holland	82	9.1
D58	264	Hudsonville	26	2.9
D58	216	Grand Haven	11	1.2
D59	220	Grandville	19	2.1
D59	681	Walker	34	3.8
D60	428	Muskegon	80	8.9
D61	218	Grand Rapids	43	4.8
D62A	693	Wyoming	44	4.9
D62B	353	Kentwood	38	4.2
D63-1	545	Rockford	49	5.4
D63-2	219	GR Cascade	60	6.7
D64A	293	Ionia	29	3.2
D64B	592	Stanton	41	4.6
5575	30 <u>2</u>	Claritori	<b>-r</b> ı	7.0

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D65A	589	St Johns	47	5.2
D65B	298	Ithaca	15	1.7

Court Number	SOS Court #	City	Total # Of DLN	Average DLNs per
Court Humber	303 Court #	Oity	Abstracts	Week
D66	84	Corunna	17	1.9
D67	187	Flushing	48	5.3
D67	47	Burton	8	0.9
D67	183	Fenton	6	0.7
D67	215	Grand Blanc	13	1.4
D67	425	Mt. Morris	25	2.8
D67	212	Burton	13	1.4
D67	111	Davison	11	1.2
D68	186	Flint	29	3.2
D7	583	South Haven	73	8.1
D7	510	Paw Paw	48	5.3
D70	580	Saginaw	60	6.7
D71A	383	Lapeer	25	2.8
D71B	72	Caro	24	2.7
D72	430	Marine City	30	3.3
D72	516	Port Huron	64	7.1
D73A	581	Sandusky	23	4.2
D73B	30	Bad Axe	24	2.7
D74	33	Bay City	46	5.1
D75	418	Midland	30	3.3
D76	426	Mt. Pleasant	25	2.8
D77	40	Big Rapids	16	1.8
D77	541	Reed City	30	3.3
D78	690	White Cloud	51	5.7
D78	31	Baldwin	44	4.9
D79	389	Ludington	18	2.0
D79	255	Hart	65	7.2
D80	214	Gladwin	3	0.3
D80	253	Harrison	20	2.2
D81	620	Tawas City	16	1.8
D81	591	Standish	16	1.8
D82	688	West Branch	13	1.4
D82	419	Mio	10	1.1
D82	254	Harrisville	6	0.7
D83	549		14	2.6
D83	221	Roscommon Grayling	11	1.2
	380	Lake City	4	
D84	70	•	4 25	0.4 2.8
D84	70 411	Cadillac	25 32	
D85		Manistee	32 43	3.6
D86	623	Traverse City		4.8
D86	385	Leland	10	1.1
D86	35	Bellaire	11	1.2
D87	211	Gaylord	20	2.2
D88	7	Alpena	21	2.3
D88	10	Atlanta	6	0.7

Court Number	SOS Court #	City	Total # Of DLN Abstracts	Average DLNs per Week
D89	546	Rogers City	7	0.8
D89	78	Cheboygan	23	2.6
D90	511	Petoskey	33	3.7
D90	76	Charlevoix	19	2.1
D91	582	Sault Ste Marie	31	3.4
D92	454	Newberry	12	1.3
D92	588	St Ignace	50	5.6
D93	427	Munising	9	1.0
D93	412	Manistique	5	0.6
D95B	294	Iron Mountain	20	2.2
D95B	85	Crystal Falls	13	1.4
D96	413	Marquette	46	5.1
D96	297	Ishpeming	12	1.3
			6748	

# MUNICIPAL COURT ABSTRACTS RECEIVED WITHOUT DRIVER LICENSE NUMBERS DURING 9-WEEK PERIOD AUGUST 9 - OCTOBER 4, 2000

Court Number	SOS Court #	City	Total # Of DLN Abstracts	Average DLNs per Week
	141	Eastpointe	23	2.6
	223	Grosse Pt	1	0.1
	225	GP Park	5	0.6
	226	GP Shores	2	0.2
	228	GP Woods	8	0.9
			39	4.3

## CIRCUIT COURT ABSTRACT WITHOUT DRIVER LICENSE NUMBERS DURING 9-WEEK PERIOD AUGUST 9 - OCTOBER 4, 2000

Court Number	Court #	City	Total # Of DLN Abstracts	Average DLNs per Week
C4	320	Jackson	11	1.2
C7	186	Flint	41	4.6
C10	580	Saginaw	8	0.9
C14	428	Muskegon	17	1.9
C15	83	Coldwater	6	0.7
C18	33	Bay City	1	0.1
C20	216	Grand Haven	1	0.1
C21	426	Mt Pleasant	6	0.7
C25	413	Marquette	3	0.3
C26	7	Alpena	2	0.2
C27	255	Hart	4	0.4
C27	690	White Cloud	6	0.7
C29	298	Ithaca	1	0.1
C29	589	St Johns	1	0.1
C3	114	Detroit	43	4.8
C35	84	Corunna	8	0.9
C36	510	Paw Paw	1	0.1
C37	32	Battle Creek	10	1.1
C38	421	Monroe	6	0.7
C41	294	Iron Mountain	2	0.2
C42	418	Midland	3	0.3
C43	73	Cassopolis	2	0.2
C45	590	St Joseph	11	1.2
C46	211	Gaylord	1	0.1
C48	3	Allegan	9	1.0
C51	31	Baldwin	1	0.1
C54	72	Caro	1	0.1
C55	214	Gladwin	1	0.1
C55	256	Hastings	2	0.2
C56	77	Charlotte	3	0.3
C57	511	Petoskey	3	0.3
			152	16.9

## CIRCUIT COURT - FAMILY DIVISION ABSTRACTS WITHOUT DRIVER LICENSE NUMBERS DURING 9-WEEK PERIOD AUGUST 9 - OCTOBER 4, 2000

Court Number	SOS Court #	City	Total # Of DLN Abstracts	Average DLNs per Week
	Not captured by	SOS	6	0.7
	Not captured by		1	0.1
C4	320	Jackson	7	0.8
C7	186	Flint	28	3.1
C16	422	Mt. Clemens	48	5.3
C18	33	Bay City	15	1.7
C21	426	Mt. Pleasant	13	1.4
C24	581	Sandusky	14	1.6
C25	413	Marquette	21	2.3
C27	255	Hart	8	0.9
C27	690	White Cloud	6	0.7
C29	298	Ithaca	6	0.7
C29	589	St. Johns	11	1.2
C31	516	Port Huron	37	4.1
C34	688	West Branch	1	0.1
C35	84	Corunna	10	1.1
C36	510	Paw Paw	26	2.9
C38	421	Monroe	28	3.1
C39	1	Adrian	13	1.4
C40	383	Lapeer	5	0.6
C42	418	Midland	19	2.1
C45	590	St. Joseph	3	0.3
C46	352	Kalkaska	14	1.6
C48	3	Allegan	31	3.4
C52	30	Bad Axe	1	0.1
C53	78	Cheboygan	1	0.1
C54	72	Caro	8	0.9
C55	256	Hastings	4	0.4
C56	77	Charlotte	12	1.3
C57	511	Petoskey	7	0.8
C60	428	Muskegon	23	2.6
			427	47.4